

Applicant: Donovan  
Serial No.: 09/810,601  
Filed: March 15, 2001  
Page 2 of 2

The Office Action states that the Sequence Listing submitted December 23, 2002 did not comply with all of the requirements of 37 CFR 1.822 and/or 1.823. A paper copy and a computer readable form of a corrected Sequence Listing are enclosed herewith. Applicant submits that all of the requirements of 37 CFR 1.822 and/or 1.823 have been met. The enclosed Sequence Listing is to be substituted for any previously filed Sequence Listing currently in the file.

In addition, a copy of the Notice to Comply, and a Declaration Pursuant to 37 C.F.R. § 1.821(f) are also enclosed.

In conclusion, applicant submits that the application is in proper form, and requests a favorable action on the merits.

Respectfully submitted,

  
\_\_\_\_\_  
Frank J. Uxa  
Attorney for Applicant  
Registration No. 25,612  
4 Venture, Suite 300  
Irvine, California 92618  
(949) 450-1750  
(949) 450-1764 Facsimile

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202, on: February 21, 2003

Micheal J. Uxa, Assistant

Feb-06-03 03pm

From-ALLERGAN LEGAL DEPARTMENT

+17142464248

T-237 P-06/14 F-818

FEB 27 2003

Application No.: 09/810,601

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).

2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."

5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

7. Other: See Raw Sequence Listing Error Report

**RECEIVED**

MAR 06 2003

**Applicant Must Provide:**

An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".

An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g).

**TECH CENTER 1600/2900**

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216 or (703) 308-2923
- For CRF Submission Help, call (703) 308-4212
- For PatentIn software Program Support:
  - HELP DESK: (703) 739-8559, ext 508, M-F, 8 AM to 5 PM EST except holidays
  - Email: [PATIN21HELP@uspto.gov](mailto:PATIN21HELP@uspto.gov)
  - To purchase PatentIn software: (703) 306-2600

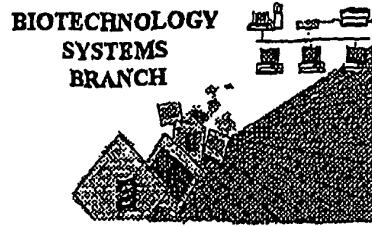
**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

Feb-06-03 0:00pm  
FEB 27 2003  
PATENT & TRADEMARK OFFICE

From-ALLERGAN LEGAL DEPARTMENT

+17142464248

T-237 P.07/14 F-818



## RAW SEQUENCE LISTING ERROR REPORT

RECEIVED

FEB 27 2003

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/810,601A  
Source: 1600 RUSH  
Date Processed by STIC: 1/15/2003

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: [patin3help@uspto.gov](mailto:patin3help@uspto.gov) or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

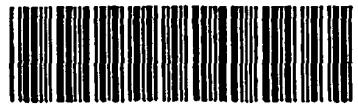
Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addressees:

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>), EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name,  
Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two,  
2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office,  
Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002



1600

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/810,601A

DATE: 01/15/2003

TIME: 18:15:08

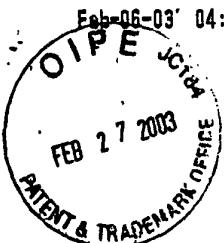
Input Set : A:\D2947CIP 021211.ST25.txt

Output Set: N:\CRF4\01152003\I810601A.raw

3 <110> APPLICANT: Allergan Sales, Inc.  
4       Donovan, Stephen  
6 <120> TITLE OF INVENTION: COMPOSITIONS AND METHODS FOR TREATING GONADOTROPHIN RELATED  
ILLNESSES  
8 <130> FILE REFERENCE: D-2947-CIP  
10 <140> CURRENT APPLICATION NUMBER: 09/810,601A  
11 <141> CURRENT FILING DATE: 2001-03-15  
13 <150> PRIOR APPLICATION NUMBER: 09/692,811  
14 <151> PRIOR FILING DATE: 2000-10-20  
16 <160> NUMBER OF SEQ ID NOS: 52  
18 <170> SOFTWARE: PatentIn version 3.1  
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22 <212> TYPE: PRT  
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26 <221> NAME/KEY: MISC\_FEATURE  
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65 <212> TYPE: PRT  
66 <213> ORGANISM: Artificial Sequence  
68 <220> FEATURE:

Does Not Comply  
Connected Diskette Needed  
*ppr 1-6*

*10C*



RAW SEQUENCE LISTING  
PATENT APPLICATION: US/09/810,601A

DATE: 01/15/2003  
TIME: 18:15:08

Input Set : A:\D2947CIP 021211.ST25.txt  
Output Set: N:\CRF4\01152003\I810601A.raw

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 74 <223> OTHER INFORMATION: Xaa at position 1 is PyroGlu  
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 80 <223> OTHER INFORMATION: Xaa at position 10 is ethylamide  
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 106 <223> OTHER INFORMATION: Xaa at position 10 is Aza-Gly-NH2  
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 138 1 5 10  
 141 <210> SEQ ID NO: 6  
 142 <211> LENGTH: 10  
 143 <212> TYPE: PRT



Report 03 04:04pm

From:ALLERGAN LEGAL DEPARTMENT

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T-237 P.10/14 F-818

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/810,601A

DATE: 01/15/2003

TIME: 18:15:08

Input Set : A:\D2947CIP 021211.ST25.txt  
Output Set: N:\CRF4\01152003\I810601A.raw

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190 1 5 10

193 <210> SEQ ID NO: 8  
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214 <221> NAME/KEY: MISC\_FEATURE  
215 <222> LOCATION: (10)..(10)  
216 <223> OTHER INFORMATION: Xaa at position 10 is Gly-NH2

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/810,601A

DATE: 01/15/2003

TIME: 18:15:08

Input Set : A:\D2947CIP 021211.ST25.txt  
Output Set: N:\CRF4\01152003\I810601A.raw

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267 <222> LOCATION: (1)..(1)  
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274 <223> OTHER INFORMATION: Xaa at position 6 is D-Lys  
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286 1 5 10  
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291 <212> TYPE: PRT  
292 <213> ORGANISM: Artificial Sequence

RAW SEQUENCE LISTING DATE: 01/15/2003  
PATENT APPLICATION: US/09/810,601A TIME: 18:15:08

Input Set : A:\D2947CIP 021211.ST25.txt  
Output Set: N:\CRF4\01152003\I810601A.raw

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337 <222> LOCATION: (6)...(6)  
338 <223> OTHER INFORMATION: Xaa at position 6 is Ornithine  
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343 <222> LOCATION: (10)...(10)  
344 <223> OTHER INFORMATION: Xaa at position 10 is ethylamide  
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363 <222> LOCATION: (1)...(1)  
364 <223> OTHER INFORMATION: Xaa at position 1 is PyroGlu  
367 <220> FEATURE:

Please correct this  
err in  
subsequent  
sequences.

OK

15, 18, 21, 24, 27, 30,  
33, 34, 46

RAW SEQUENCE LISTING ERROR SUMMARY DATE: 01/15/2003  
PATENT APPLICATION: US/09/810,601A TIME: 18:15:09

Input Set : A:\D2947CIP 021211.ST25.txt  
Output Set: N:\CRF4\01152003\I810601A.raw

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:1; Xaa Pos. 1  
Seq#:2; Xaa Pos. 1,10  
Seq#:3; Xaa Pos. 1,10  
Seq#:4; Xaa Pos. 1,10  
Seq#:5; Xaa Pos. 1,10  
Seq#:6; Xaa Pos. 1,10  
Seq#:7; Xaa Pos. 1,10  
Seq#:8; Xaa Pos. 1,6,10  
Seq#:9; Xaa Pos. 1,6,10  
Seq#:10; Xaa Pos. 1,6,10  
Seq#:11; Xaa Pos. 1,6,10  
Seq#:12; Xaa Pos. 1,6,10  
Seq#:13; Xaa Pos. 1,6,10  
Seq#:14; Xaa Pos. 1,6,10  
Seq#:15; Xaa Pos. 1,6,10  
Seq#:16; Xaa Pos. 1,6,10  
Seq#:17; Xaa Pos. 1,10  
Seq#:18; Xaa Pos. 1,10  
Seq#:19; Xaa Pos. 1,10  
Seq#:20; Xaa Pos. 1,6,10  
Seq#:21; Xaa Pos. 1,6,10  
Seq#:22; Xaa Pos. 1,6,10  
Seq#:23; Xaa Pos. 1,10  
Seq#:24; Xaa Pos. 1,10  
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Seq#:27; Xaa Pos. 1,6,10  
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Seq#:29; Xaa Pos. 1,10  
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Seq#:36; Xaa Pos. 1,10  
Seq#:37; Xaa Pos. 1,10  
Seq#:38; Xaa Pos. 1,6,10  
Seq#:39; Xaa Pos. 1,6,10  
Seq#:40; Xaa Pos. 1,6,10  
Seq#:46; Xaa Pos. 1,6,10  
Seq#:51; Xaa Pos. 2,3,5

## VERIFICATION SUMMARY

PATENT APPLICATION: US/09/810,601A

DATE: 01/15/2003

TIME: 18:15:09

Input Set : A:\D2947CIP 021211.ST25.txt  
Output Set: N:\CRF4\01152003\I810601A.raw

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L:59 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:2 after pos.:0  
L:85 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3 after pos.:0  
L:111 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:4 after pos.:0  
L:137 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:5 after pos.:0  
L:163 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:6 after pos.:0  
L:189 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:7 after pos.:0  
L:221 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:8 after pos.:0  
L:253 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:9 after pos.:0  
L:285 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:10 after pos.:0  
L:317 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:11 after pos.:0  
L:349 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:12 after pos.:0  
L:381 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:13 after pos.:0  
L:413 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:14 after pos.:0  
L:445 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:15 after pos.:0  
L:477 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:16 after pos.:0  
L:503 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:17 after pos.:0  
L:529 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:18 after pos.:0  
L:555 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:19 after pos.:0  
L:587 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:20 after pos.:0  
L:619 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:21 after pos.:0  
L:651 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:22 after pos.:0  
L:677 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:23 after pos.:0  
L:703 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:24 after pos.:0  
L:729 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:25 after pos.:0  
L:761 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:26 after pos.:0  
L:793 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:27 after pos.:0  
L:825 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:28 after pos.:0  
L:851 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:29 after pos.:0  
L:877 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:30 after pos.:0  
L:903 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:31 after pos.:0  
L:935 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:32 after pos.:0  
L:967 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:33 after pos.:0  
L:999 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:34 after pos.:0  
L:1025 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:35 after pos.:0  
L:1051 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:36 after pos.:0  
L:1077 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:37 after pos.:0  
L:1109 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:38 after pos.:0  
L:1141 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:39 after pos.:0  
L:1173 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:40 after pos.:0  
L:1274 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:46 after pos.:0  
L:1368 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:51 after pos.:0